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PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) 1079-2
<p>First named inventor: Haas et al.</p> <p>Application No.: 09/685,310 Art Unit: 3763</p> <p>Filed: October 10, 2000 Examiner: Mark K. Han</p> <p>Title: SINGLE CELL ELECTROPORATION</p>		
<p>Attention: Office of Petitions Assistant Commissioner for Patents Box DAC Washington, D.C. 20231</p>		
<p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p>		
<p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.</p>		
<p style="text-align: center;">APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p>		
<p>NOTE: A grantable petition requires the following items:</p> <ul style="list-style-type: none">(1) Petition fee;(2) Reply and/or issue fee;(3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and(4) Statement that the entire delay was unintentional.		
<p>1. Petition fee <input checked="" type="checkbox"/> Small entity-fee \$ <u>640.00</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p>		
<p><input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m))</p>		
<p>2. Reply and/or fee</p>		
<p>A. The reply and/or fee to the above-noted Office action in the form of <u>an amendment</u> (identify type of reply): <input type="checkbox"/> has been filed previously on _____. <input checked="" type="checkbox"/> is enclosed herewith.</p>		
<p>B. The issue fee of \$ _____. <input type="checkbox"/> has been paid previously on _____. <input type="checkbox"/> is enclosed herewith.</p>		

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

November 19, 2002

Date

Signature

Telephone

Number: (516) 228-8484

Peter G. Dilworth

Typed or printed name

DILWORTH & BARRESE, LLP

Address

333 Earle Ovington, Blvd., Uniondale, NY 11530

Enclosures: Fee Payment

Reply

Terminal Disclaimer Form

Additional sheets containing statements establishing unintentional delay

Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

November 19, 2002

Date

Signature

Bridget Griffin

Type or printed name of person signing certificate